IN THE HIGH COURT OF BOMBAY AT GOA

APPEAL FROM ORDER NO. 60 OF 2004

SHRI SYED H.ASHRAF AND 4 ORS., ...Appellants

Versus

THE GOA TOWN & COUNTRY PLANNING BOARD & 7 ORS., ...Respondents

Mr. M. S. Sonak, advocate for the appellant.
Mr. M. Pereira, advocate for the respondent no.3.
Mr. E. O. Mendes, advocate for the respondent nos. 7 & 8.

Coram:- R. M. LODHA, J.

Date:- 31st August, 2005

P.C.

The learned counsel for respondent nos.7 and 8 submits that subsequent to the passing of the impugned Order dated 18th August, 2004, the said respondents have already completed the construction of the residential house and occupancy certificate has also been given by the respondent no.4.

In the circumstances, I am satisfied that the Appeal From Order does not deserve to be considered on merits. However, it is clarified that the construction made by respondent nos.7 and 8 shall be subject to the decision in the suit.

The appellants/plaintiffs are at liberty to apply to the trial Court for expeditious hearing and disposal of the suit. If such application is made, the trial Court keeping in view its calendar shall endeavour to decide the suit expeditiously.

The Appeal From Order is disposed of accordingly.

R. M. LODHA, J.